

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent of: Stephen T. Wellinghoff et al.  
Patent No. 7,273,567 B1  
Issued: September 25, 2007  
Confirmation No.: 5618  
For: ENERGY-ACTIVATED COMPOSITIONS FOR  
CONTROLLED SUSTAINED RELEASE OF A GAS

November 7, 2008

**PETITION UNDER 37 CFR 3.81(b)**  
**TO CORRECT ASSIGNEE DESIGNATION**

TO THE COMMISSIONER FOR PATENTS,

SIR:

This petition is in response to the letter of November 27, 2007, from David Irvine, Decisions and Certificates of Correction Branch, denying our October 10, 2007, request to issue a Certificate of Correction in the above-referenced patent.

Petitioners hereby request the requirements of 37 CFR 3.81(b) be waived and this patent be corrected by Certificate of Correction under 37 CFR 1.323 to show that the assignees are:

MicroActive Corp.  
2301 Robb Drive  
Reno, Nevada 89523

and

Southwest Research Institute  
6220 Culebra Road  
San Antonio, Texas 78228

Attached is a copy of the Patent Assignment Abstract of Title printed from the PTO website noting, with asterisks, the recorded assignment documents that give the correct name and address of the assignees as evidence that the Assignments were submitted for recordation as set forth in 37 CFR 3.11 before issuance of the patent.

The Commissioner is authorized to charge the fee of \$130.00 related to this Petition to Deposit Account No. 19-1345. The Commissioner is also hereby authorized to credit any overpayment or charge any underpayment to Deposit Account No. 19-1345.

In view of the foregoing Petition, it is requested that the requirements of 3.81(b) be waived and this patent be corrected by name the proper co-assignees, MicroActive Corp. and Southwest Research Institute as joint patentees. Attached is a copy of the request to issue a Certificate of Correction filed on October 10, 2007.

Respectfully submitted,



Kathleen M. Petrillo, Reg. No. 35,076  
SENNIGER POWERS LLP  
100 North Broadway, 17th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

KMP/clp

09/448,927

ENERGY-ACTIVATED COMPOSITIONS FOR CONTROLLED SUSTAINED RELEASE OF 10-28-  
A GAS 2008:16:22:54**Patent Assignment Abstract of Title****Total Assignments: 4**

Application #: 09448927

Filing Dt: 11/24/1999

Patent #: 7273567

Issue Dt: 09/25/2007

PCT #: NONE

Publication #: NONE

Pub Dt:

Inventors: STEPHEN T. WELLINGHOFF, JOEL J. KAMPA, MICHAEL D. LELAH, SUMNER A. BARENBERG, PETER N. GRAY, HONG DIXON

Title: ENERGY-ACTIVATED COMPOSITIONS FOR CONTROLLED SUSTAINED RELEASE OF A GAS

**Assignment: 1**

Reel/Frame: 010577 / 0861

Received: 03/03/2000

Recorded: 02/02/2000

Mailed: 05/01/2000

Pages: 6

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: KAMPA, JOEL J.

Exec Dt: 12/22/1999

BARENBERG, SUMNER A.

Exec Dt: 12/23/1999

GRAY, PETER N.

Exec Dt: 12/30/1999

LELAH, MICHAEL D.

Exec Dt: 12/17/1999

Assignee: BERNARD TECHNOLOGIES, INC.

919 NORTH MICHIGAN, STE. 1710

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Correspondent: SENNIGER, POWERS, LEAVITT &amp; ROEDEL

KATHLEEN M. PETRILLO

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ST. LOUIS, MISSOURI 63102

**Assignment: 2**

Reel/Frame: 010577 / 0847

Received: 03/03/2000

Recorded: 02/02/2000

Mailed: 05/01/2000

Pages: 5

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: WELLINGHOFF, STEPHEN T.

Exec Dt: 01/17/2000

DIXON, HONG

Exec Dt: 01/17/2000

Assignee: SOUTHWEST RESEARCH INSTITUTE

6220 CULEBRA ROAD

SAN ANTONIO, TEXAS 78228

Correspondent: SENNIGER, POWERS, LEAVITT &amp; ROEDEL

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**Assignment: 3**

Reel/Frame: 016883 / 0403

Received: 08/17/2005

Recorded: 08/15/2005

Mailed: 12/13/2005

Pages: 9

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: BERNARD TECHNOLOGIES, INC.

Exec Dt: 07/28/2005

Assignee: MICROACTIVE CORP.

2301 ROBB DRIVE

RENO, NEVADA 89523

Correspondent: CHARLES E. LYON, DPMIL

CHOATE, HALL &amp; STEWART LLP

TWO INTERNATIONAL PLACE

BOSTON, MA 02110

**Assignment: 4**

Reel/Frame: 018120 / 0473

Received: 08/16/2006

Recorded: 08/16/2006

Mailed: 08/17/2006

Pages: 5

Conveyance: SECURITY AGREEMENT

Exec Dt: 07/26/2006

Assignor: MICROACTIVE CORP.

Assignee: SOUTHWEST RESEARCH INSTITUTE

P.O. DRAWER 28510

SAN ANTONIO, TEXAS 78228

Correspondent: JAMES W. REPASS

FULBRIGHT &amp; JAWORSKI, L.L.P.

1301 MCKINNEY, SUITE 5100

FULBRIGHT TOWER

HOUSTON, TX 77010-3095

Search Results as of: 10/28/2008 16:22:50 PM

**Disclaimer:**

Assignment information on the assignment database reflects assignment documents that have been actually recorded.

If the assignment for a patent was not recorded, the name of the assignee on the patent application publication or patent may be different.

If you have any comments or questions concerning the data displayed, contact OPR / Assignments at 571-272-3350

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For: ENERGY-ACTIVATED COMPOSITIONS FOR  
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October 10, 2007

**REQUEST FOR EXPEDITED ISSUANCE  
OF CERTIFICATE OF CORRECTION UNDER 37 CFR 1.322**

TO THE COMMISSIONER FOR PATENTS,  
SIR:

On studying the above-identified patent, the following error was found (the error is also noted on the attached form PTO-1050):

On the front cover of the patent, Section 73, Assignee: "MicroActive Corp., Reno, NV (US)" should read - - - MicroActive Corp., Reno, NV (US) and Southwest Research Institute, San Antonio, TX (US) - - -.

REMARKS

Since the error shown above was made by Applicants, the Commissioner is hereby authorized to charge the \$100.00 fee required under Rule 1.323 to Deposit Account No. 19-1345.

We respectfully request that a certificate of correction be issued.

Respectfully submitted,



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SENNIGER POWERS  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

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PATENT NO : 7,273,567 B1

APPLICATION NO.: 09/448,927

ISSUE DATE : September 25, 2007

INVENTOR(S) : Wellinghoff et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the front cover of the patent, Section 73, Assignee: "MicroActive Corp., Reno, NV (US)" should read - - - MicroActive Corp., Reno, NV (US) and Southwest Research Institute, San Antonio, TX (US) - - -.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Senniger Powers LLP  
100 North Broadway  
17<sup>th</sup> Floor  
St. Louis, Missouri 63102

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*